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Reconstituting Power in an American Borderland: Political Change in Colonial East Florida

by Nancy O. Gallman

On his 10,000-acre plantation along the St. Johns River, Francis Philip Fatio had much to claim. With the labor of more than eighty slaves, Fatio and his partner investors established a thriving plantation in former Native territory soon after they arrived in British East Florida in 1771. Named in honor of his homeland, Fatio's "New Switzerland" plantation excelled in the production of timber, cattle, citrus fruits, and naval stores.¹ Historians once suggested that lasting only twenty-one years, East Florida's British period was too brief to have much impact on the development of the colony: "too short for the roots to take much hold of the soil."² New Switzerland's roots, however, survived the return of Spanish rule to East Florida in 1783 and continued to

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- 1 Susan R. Parker, "Success Through Diversification: Francis Philip Fatio's New Switzerland Plantation," in *Colonial Plantations and Economy in Florida*, ed. Jane Landers (Gainesville: University Press of Florida, 2000), 69-82.
- 2 Charles Loch Mowat, *East Florida as a British Province, 1763-1784* (Berkeley: University of California Press, 1943), 149. For a different and more recent view of East Florida's British years, see Daniel L. Schafer, "St. Augustine's British Years, 1763-1784," *El Escribano* 38 (2001): 1-283; and Daniel L. Schafer, *William Bartram and the Ghost Plantations of British East Florida* (Gainesville: University Press of Florida, 2010), 55-118. In his work, Schafer describes the many riverine plantations and other significant economic and political activities of East Florida's short British era.

build wealth and influence for generations of the Fatio family into at least the twentieth century.³ Moreover, the colony's rich resources and diverse economy offered more than material success. On his plantation, Fatio also realized a new imperial vision for colonial East Florida after Spain ceded control of the territory to Great Britain in 1763, at the conclusion of the Seven Years' War.

Fatio's New Switzerland, and other plantations like it, developed in a colonial political culture that shifted as European possession of East Florida changed from Spain to Great Britain in the middle of the eighteenth century. After the Yamasee War (1715 – 1716), the Spanish cultivated a precarious political relationship with the Lower Creeks and Yamasees, refugees of the war. They based this relationship not on the cession of vast tracts of land that displaced large numbers of Native peoples, but on the construction of strategic, although weak, alliances meant to secure the place of both the Spanish and Native groups in the contested East Florida territory. When Great Britain took over East Florida in 1763, however, it brought a new vision of empire that emphasized the accumulation of Native lands in the hands of a few, elite, and entrepreneurial European planters. In the years following the Seven Years' War, the British introduced new formalities to the political process governing the relationship between East Florida's Native peoples and Europeans; accelerated the process of Lower Creek and Seminole land dispossession in East Florida; and redefined East Florida's political culture by replacing the Spanish imperial vision with a British vision of North American empire emphasizing extensive land possession, settlement, and global trade.

While neither a British native nor a particularly devoted British subject, Fatio took advantage of the empire's claims to authority in East Florida and its policy of converting Native land into private property. Wishing to convince British authorities to retain East Florida at the end of the American Revolution, Fatio argued that the colony constituted an important European asset, valuable for its fertile interior and abundance of trees. The best lands remained unsettled, he complained, "on Account of the frequent Eruptions of those Wild Indians."⁴ In British East Florida, Fatio aimed to use

3 Parker, "Success Through Diversification," 71.

4 Francis Philip Fatio to Major John Morrison, "Considerations on the Importance of the Province of East Florida to the British Empire (on the supposition that it will be deprived of its Southern Colonies), By its Situation, its produce in Naval Stores, Ship Lumber, & the Asylum it may afford to the

the empire's vision of colonization to transform Native ground into his own.

Empires and Native Grounds In East Florida

During the eighteenth century, Spain and Great Britain shared at least two goals in their approaches to North American colonization. They wanted to expand the extent of their power and wealth and to establish a colonial social order which they would define and control. Both Spanish and British officials attempted to justify colonialism on the basis of race and other cultural differences.⁵ Importantly, however, Native peoples outnumbered Europeans in the Southeast by more than ten to one at the start of the eighteenth century. By 1775, the European population had grown rapidly in Carolina and Georgia—from 3,800 to approximately 90,000. In the same year, however, the total Creek population outnumbered East Florida's European population by at least five to one.⁶

Over the course of the eighteenth century, the principal Native groups in the region—Cherokees, Choctaws, Chickasaws, and Creeks—increasingly engaged in trade and gift-giving with Europeans. As traditional competitors for deer hunting grounds, southeastern indigenous peoples competed with each other to exchange deerskins for European metal, gunpowder, and guns. They relied on these goods not only for their subsistence but also for their protection against enemy raids. The European rivals—Great Britain, France, and Spain—depended on Native trade and gift-giving to pursue military alliances and profits. The European powers used these advantages to make imperial claims in North

Wretched & Distressed Loyalists," December 14, 1782, typescript copy in P. K. Yonge Library of Florida History, University of Florida.

5 Daniel S. Murphee, *Constructing Floridians: Natives and Europeans in the Colonial Floridas, 1513–1783* (Gainesville: University Press of Florida, 2006).

6 The total Creek population steadily increased over the course of the eighteenth century from approximately 9,000 in 1700 to close to 20,000 at the start of the American Revolution. Europeans in East Florida numbered little more than 3,000 during the same time period. Peter H. Wood, "The Changing Population of the Colonial South: An Overview by Race and Region, 1685–1790," in *Powhatan's Mantle: Indians in the Colonial Southeast*, ed. Gregory A. Waselkov, Peter H. Wood, and Tom Hatley (Lincoln: University of Nebraska Press, 2006), 60–61, 76–87; Kathryn E. Holland Braund, *Deerskins & Duffels: The Creek Indian Trade with Anglo-America, 1685–1815*, 2nd ed. (Lincoln: University of Nebraska Press, 2008), 9; David J. Weber, *The Spanish Frontier in North America* (New Haven: Yale University Press, 1992), 179–183.

America.⁷ Culturally coherent, mutually independent, and numerous, Native groups in the Southeast exploited their strengths and their trade interests to balance the distribution of power among Europeans and Native peoples throughout the region.

As a consequence of Native power, Spain and Great Britain had to negotiate their ambitions on what historian Kathleen DuVal calls “native ground,” diplomatic space where Native peoples and Europeans mutually constructed their relations in response to the disorder wrought by war, with Native peoples controlling much of the context and the terms of negotiation.⁸ As they began to develop British East Florida, Indian Affairs Superintendent John Stuart and East Florida Governor James Grant noted, “the Indians are discerning, and know the weak State of the New Colonies, and how incapable they are even to support a Defensive war with them, which will always be favourable to the Indians and destructive to us.”⁹ While insisting on their cultural superiority, both empires also recognized Native peoples’ enormous power in the Southeast, a ruling force that they sought to influence.

In East Florida, the Spanish and the British cultivated alliances with Native groups, but in markedly different ways that would shape European–Native relations and the constitution and reconstitution of power in the colony. In several meetings with the Lower Creeks at Apalachee and Apalachicola from 1716 to 1718, the Spanish hoped to create a buffer zone of shared territory between the Spanish empire and Spain’s most aggressive rival, the British. During the previous thirty years, Carolinians had attacked Spanish Florida and its Catholic missions, hoping to supply Native captives to the Atlantic slave trade and to control the flow of runaway slaves across

7 Weber, *The Spanish Frontier in North America*, 172–235; Braund, *Deerskins & Duffels*, 26–58; Richard White, *The Roots of Dependency: Subsistence, Environment, and Social Change Among the Choctaws, Pawnees, and Navajos* (Lincoln: University of Nebraska Press, 1983); Alan Taylor, *American Colonies: The Settling of North America* (New York: Penguin Books, 2001). For a discussion of how gender shaped this process among the Cherokee, see Theda Perdue, *Cherokee Women: Gender and Culture Change, 1700–1835* (Lincoln: University of Nebraska Press, 1998), 65–85.

8 Kathleen DuVal, *The Native Ground: Indians and Colonists in the Heart of the Continent* (Philadelphia: University of Pennsylvania Press, 2006), 4–12.

9 John Stuart and Governor James Grant to the Board of Trade, “Observations on the Plan for the Future Management of Indian Affairs Humbly Submitted to the Lords Commissioners of Trade and Plantations,” December 1, 1764, in *Observations of Superintendent John Stuart and Governor James Grant of East Florida on the proposed plan of 1764 for the future management of Indian affairs*, contributed by Clarence E. Carter (New York, 1915), reprinted from the *American Historical Review* 20, no. 4 (July 1915): 823.

this international border.¹⁰ In the face of new competition, Spain struggled to assert its sovereignty over the Florida colony. Spain needed Florida in order to claim control over the Gulf economy and to protect the Spanish treasure fleet from rival attacks as it traveled from the Caribbean to Europe. To contain the British threat to Florida, the Spanish claimed an alliance with the Lower Creeks and pressed them to relocate some of their towns closer to Spanish settlements.¹¹ In these negotiations, the Spanish pursued an Indian policy based on relative inclusion, valuing Native peoples as potential spiritual converts and as allies in the defense of East Florida against British intrusion.

As a result of the 1763 Peace of Paris, Great Britain took possession of East Florida from Spain and entered into European–Native alliances of a different sort. In 1765, British officials and leading men from the Lower Creeks and their brethren, the Florida Seminoles, met at Fort Picolata to negotiate a written treaty.¹² One of several British–Native conferences in the Southeast during this time period, the Fort Picolata Congress established trade terms and clearly defined territorial boundaries between Europeans and Native groups. These boundaries reflected a new vision of empire rooted in a fundamental belief about private property that shaped Anglo-American political identity. In contrast to the Spanish, the British proceeded on a policy of exclusion, valuing indigenous peoples as trading partners in the lucrative deerskin trade but seeking to persuade them to give up their lands to British settlers.

Taking place fifty years apart, meetings between Europeans and Florida's Native peoples illuminated shifting political perspectives and showed how these perspectives reshaped politics in this

10 Weber, *The Spanish Frontier in North America*, 142–45; Jane Landers, *Black Society in Spanish Florida* (Urbana: University of Illinois Press, 1999), 23–28.

11 Mark F. Boyd, "Diego Peña's Expedition to Apalachee and Apalachicola in 1716: A Journal Translated and with an Introduction," *Florida Historical Quarterly* 28, no. 1 (July 1949): 1–27; Boyd, "Documents Describing the Second and Third Expeditions of Lieutenant Diego Peña to Apalachee and Apalachicola in 1717 and 1718," *Florida Historical Quarterly* 31, no. 2 (October 1952): 109–139; John Jay TePaske, *The Governorship of Spanish Florida, 1700–1763* (Durham, NC: Duke University Press, 1964), 197–204.

12 "Journal of a Congress," December 9, 1765, Public Record Office (hereafter cited as PRO), British Colonial Office (hereafter cited as CO) 5/548, Manuscript Division, Library of Congress. See also James W. Covington, "The British Meet the Seminoles: Negotiations Between British Authorities in East Florida and the Indians, 1763–68," *Contributions of the Florida State Museum, Social Sciences*, no. 7 (Gainesville: University of Florida, 1961), 18–41.

North American borderland.¹³ Reflecting British priorities, intercultural politics operated with a new purpose in East Florida: to redistribute territory and institute exclusive European possession as the basis of European–Native relations. By the time the British returned East Florida to Spain in 1783, paradoxically, Native power would both challenge this new imperial vision and, to serve Native interests, cede authority to it. Lower Creeks and Seminoles resisted British pressure to take exclusive control of their lands. At Fort Picolata, however, they took the risk of losing their traditional access to those lands in order to protect their trade interests and their political autonomy. Negotiating imperial interests on a Native ground, the British then used those interests to reshape the landscape with a new set of goals and conditions based on the expanding privatization of property. By outlasting the British presence in the colony, this new framework set the course for East Florida’s development into the next century.

“the peace will endure until the end of the world”

Spanish Florida in Transition

Between 1573 and 1675, the Franciscan Order of Friars established several missions among the Guale, Timucuan, and Apalachee peoples in Florida’s Guale, Timucua, Apalachee, and Apalachicola provinces.¹⁴ For the Spanish, the missions served political, cultur-

13 I describe eighteenth-century Florida as a “borderland” to identify lands in the Gulf South as zones of interaction among European, Native, African, and mixed race peoples during the late colonial period. These cross-cultural encounters not only shaped the political, economic, and social development of Florida but also illustrate the variations in political contest and cultural exchange that deepen our understanding of the early history of North America. This usage of “borderland” derives from the works of David J. Weber, Pekka Hämäläinen and Samuel Truett, Jeremy Adelman and Stephen Aron, and Joshua L. Reid, who discuss the multiple meanings of “borderlands” and the significance of borderlands history to the study of early America. See David J. Weber, “The Spanish Borderlands of North America: A Historiography,” *OAH Magazine of History* 14, no. 4 (Summer 2000): 5–11; Pekka Hämäläinen and Samuel Truett, “On Borderlands,” *Journal of American History* 98, no. 2 (September 2011): 338–361; Jeremy Adelman and Stephen Aron, “From Borderlands to Borders: Empires, Nation-States, and the Peoples in between in North American History,” *American Historical Review* 104, no. 3 (June 1999): 814–841; and Joshua L. Reid, *The Sea Is My Country: The Maritime World of the Makahs, an Indigenous Borderlands People* (New Haven: Yale University Press, 2015), 12–18.

14 Amy Turner Bushnell, “Situado and Sabana: Spain’s Support System for the Presidio and Mission Provinces of Florida,” *Anthropological Papers of The American Museum of Natural History*, no. 74 (September 1994): 42–43, 49–51; Weber, *The Spanish Frontier in North America*, 100–105.

al, and economic uses. They asserted Spanish authority over the surrounding areas, attempted to convert Native men and women to Catholicism, and provided labor to the missions, the *presidio*, and nearby private ranches.¹⁵ In accomplishing these objectives, Franciscan friars had varying success. Smallpox claimed the lives of many potential converts. Some of the survivors accommodated the missionaries and others rejected them, with violence on occasion. And, by 1706, Carolinians and their Lower Creek and Yamasee allies had invaded Spanish Florida, destroyed the missions, and reduced the Native population of northern Florida to fewer than 2,000.¹⁶

In the years that followed, Spanish authorities attempted to restore the missions to their former place in Spanish–Native society by ordering new friars from Spain to St. Augustine. Because of a lack of financial and military support, this effort failed. Unable to recruit more settlers or rebuild their mission system, the Spanish found themselves outnumbered by the overall population of Native peoples in the region and the Carolinians.¹⁷ Officials then turned to the French protocols of regular gift-giving and an active trade in goods (and at least an approximation of the quality and organization of British trade) to cultivate stronger ties with the Lower Creeks and the Yamasees who only recently had attacked them.¹⁸

In 1715, when the Yamasees went to war with Carolina, the Spanish empire and Native peoples came to a crossroads in their political relationship in the Florida territory. Allies during the war, Lower Creeks and Yamasees avoided captivity by escaping from British Carolina to Spanish Florida. There, they made a joint appeal to Spanish authorities for protection. In the short-term, they hoped that the Spanish could provide them with food and clothing. In the long-term, they sought a strong trade relationship with the Spanish

15 See Bushnell, "Situado and Sabana," 95–124.

16 Weber, *The Spanish Frontier in North America*, 142–145; Wood, "The Changing Population of the Colonial South," 76–81.

17 TePaske, *The Governorship of Spanish Florida*, 180; Weber, *The Spanish Frontier in North America*, 179–183.

18 William Sturtevant argues that the change in Spanish policy "followed the model of Anglo-American frontier Indian relations." See William C. Sturtevant, "Spanish–Indian Relations in Southeastern North America," *Ethnohistory* 9, no. 1 (Winter 1962): 70. Other historians show more clearly how these exchanges, new to the Spanish but borrowed by the English as well, had been features of generations of French–Native diplomacy in New France. See, for example, Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650–1815* (1991; reprint, Cambridge: Cambridge University Press, 2011), 104–141, 175–185.



Map of Florida, 1703 Guillaume de L'Isle (1675–1726) and Charles Simonneau (1645–1728) Courtesy of the Library of Congress, Call No. G3300 1703 .L 5.

to offset disruptions in the British trade which they favored. In this moment, Spanish Governor Francisco de Córcoles y Martínez saw an opportunity to reverse the trend of British encroachments on Spanish territory and to end British interference with Spanish–Native relations.¹⁹

Influenced by French and British practices, the governor took Spanish–Native policy in a new direction. In a series of novel meetings, retired military officer Lieutenant Diego de Peña negotiated an alliance with Native settlers residing west of St. Augustine, to defend Spanish Florida and its Native allies against British encroachment.²⁰ Córcoles's successor, Pedro de Olivera y Fullana, ordered Peña to offer Lower Creek chiefs trade and protection and to put pressure on them to move to the fertile areas in the Apalachee province in exchange for Spanish support.²¹ After more

19 TePaske, *The Governorship of Spanish Florida*, 197–204.

20 Boyd, "Diego Peña's Expedition to Apalachee and Apalachicola in 1716," 1–27; Boyd, "Documents Describing the Second and Third Expeditions of Lieutenant Diego Peña to Apalachee and Apalachicola in 1717 and 1718," 109–139; TePaske, *The Governorship of Spanish Florida*, 197–204.

21 Peña negotiated with diverse Native groups in the region west of St. Augustine, including Lower Creeks and Yamasees. After the Yamasee War, some Yamasees

than 200 years of exploration, force, missionizing, and “peaceful persuasion” had failed to secure Spain’s control over this North American colony, Spain adopted for the first time a policy of trade and diplomacy in its relations with indigenous peoples who had escaped the Carolina Indian slave trade during the Yamasee War.²²

In July 1716, Peña left St. Augustine and traveled west to Apalachee and Apalachicola, where he encountered severe weather conditions that challenged the success of his trip. His key destination, the town hosting Yslachamuque (the Lower Creeks’s Great Chief known to the British as Brims) of Coweta, lay fifty-five days ahead. En route, Peña’s expedition crossed the Aucilla River, making the first official Spanish visits to the former sites of the empire’s Indian missions destroyed by the British fifteen years earlier.²³ In each settlement, chiefs, leading men, and warriors met Peña with their customary rituals of welcome. Gun salutes, ceremonial dancing, generous provisions, and comfortable lodging marked his journey from the Apalachee province to the towns of Apalachicola. After a lively reception at one settlement along the Apalachicola (Chattahoochee) River, Peña worried, “God permit that they may be brought to our Holy Faith.”²⁴ Catholic conversion remained important to Spanish officials and their superiors, but, because of Spain’s weak position in the Southeast, they reevaluated their priorities and instead focused on building a strong military alliance with the Lower Creeks.

On September 28, 1716, Peña called a conference of chiefs and leading men of the towns surrounding the Lower Creek settlement of Apalachicola. There, Peña noted, as in the other towns, Lower Creeks proffered “their obedience, made many dischargs [sic] of

settled near St. Augustine and others moved west, occupying lands populated by the Lower Creeks. By the middle of the eighteenth century, these Yamasees would become part of the Florida Seminoles, a new group of Florida Indians also composed of Lower Creek emigrants. James W. Covington, *The Seminoles of Florida* (Gainesville: University Press of Florida, 1993), 3–27; Sturtevant, “Spanish–Indian Relations in Southeastern North America,” 71–72; Alejandra Dubcovsky, “Connected Worlds: Communication Networks in the Colonial Southeast, 1513–1740” (PhD diss., University of California, Berkeley, 2011), 137–143, 160.

22 TePaske, *The Governorship of Spanish Florida*, 198–199; Weber, *The Spanish Frontier in North America*, 180; John J. TePaske, “French, Spanish, and English Indian Policy on the Gulf Coast, 1513–1763: A Comparison,” in *Spain and Her Rivals on the Gulf Coast*, ed. Ernest F. Dibble and Earle W. Newton, 21 (Pensacola, FL: Historic Pensacola Preservation Board, 1971).

23 Boyd, “Diego Peña’s Expedition to Apalachee and Apalachicola in 1716,” 4, 16–17.

24 *Ibid.*, 19–20.

their firearms, acclaiming our King, and acknowledging their submission to him.”²⁵ According to Peña, they also agreed “unanimously” to obey all orders from the Spanish governor, including the order to relocate to the Apalachee province.²⁶ In November 1716, Peña returned to St. Augustine with favorable news for the governor. He explained:

They said they have been made happy by my visit, and only lack words to express the fortune they have had, they only can say that it will show them the way, that my visit has made it appear as if they might have been actually in a cell or dungeon without sight of light, from which my arrival had liberated them.²⁷

In this official report to his superiors, Peña used language of Native submission and unanimity to reinforce Spain’s image as a colonial power. However, his report overstated Spain’s bargaining position in Apalachee and Apalachicola. Lower Creeks appeared to offer their loyalty only to win material concessions from the Spanish. Under the governor’s orders, Peña reversed Spain’s older patterns by distributing gunpowder and firearms to the Lower Creeks who demanded them. With presents, he claimed to have negotiated a peace that “will endure until the end of the world.”²⁸ Aiming to bring the Lower Creeks within the Spanish sphere of influence, he hoped his gifts would engage their strength against the Carolinians. As the leader of the expedition, Peña was in the best position to know that presents, not assertions of dominance, both facilitated Native alliances and rarely guaranteed them.

By opening official talks with the Lower Creeks and attempting to resettle them, the Spanish viewed Native groups as close allies and sought to use them to resist the expansion of British settlements in the Southeast. The Lower Creeks, however, resisted Spanish authority with priorities of their own. Shortly before he returned to St. Augustine, Peña observed how the Lower Creek leaders in the principal town of Coweta had gathered more than 100 villagers, whom Peña perceived as loyal to Great Britain, most of them women. Of these, Peña wrote, “many escaped and I believe all will flee to the English.”²⁹ After some Lower Creek chiefs had

25 Ibid., 22–23 (spelled “dischargs” in Boyd’s translation).

26 Ibid., 23–24.

27 Ibid.

28 Ibid., 7, 23–24.

29 Ibid., 26.

proclaimed their people's alliance with Spain, other Lower Creek women and men had refused to renounce the British. To many Lower Creeks, the Carolinians were powerful military allies and reliable trading partners amid post-war declines in the vital deerskin trade. Compared to Spanish and French traders, the British paid Indians better prices for deerskins in exchange for abundant and less expensive metal tools, cloth, and weapons.³⁰ In accordance with Lower Creek political traditions, continuing an alliance with the British did not conflict with a concurrent alliance with the Spanish.³¹ Multiple alliances enhanced the benefits of, rather than endangered, economic and political diplomacy.

In 1717 and 1718, Spanish Florida's new interim governor, Juan de Ayala Escobar, sent Peña back to Apalachee and Apalachicola to pressure the Lower Creeks to relocate. Native resettlements might promote religious conversion but, more importantly, would bolster colonial security amid the increasing threats of British raids from Carolina. Peña's expeditions failed to achieve Ayala's objective. Some groups made plans to move closer to Spanish settlements (for example, the Tasquique, Apalachicola, Sabacola, Chislacaslische, Bacuqua, and Uchises), but others did not (for example, the surviving Apalachees and a group of Yamasees). Meanwhile, as the Spanish fell short on promised gifts, Lower Creek women and men continued to trade deerskins for select goods sold by bands of British agents. Highlighting these divisions, Chipacasi quarreled with his father, Great Lower Creek Chief Brims, when Brims refused to capture a group of these British visitors and their horses.³² For Brims and other Lower Creeks, British trade remained vital to their livelihood, especially when the Spanish failed to deliver the goods they expected. Advancing their own interests, the Lower Creeks shrouded their Spanish alliance with uncertainty.

30 Weber, *The Spanish Frontier in North America*, 141–145, 177–178. See also Braund, *Deerskins & Duffels*, 142–143.

31 Steven C. Hahn, *The Invention of the Creek Nation, 1670–1763* (Lincoln: University of Nebraska Press, 2004), 81–148; Gary B. Nash, *Red, White, and Black: The Peoples of Early North America*, 7th ed. (Boston: Pearson, 2015), 186–189; Claudio Saunt, *A New Order of Things: Property, Power, and the Transformation of the Creek Indians, 1733–1816* (Cambridge: Cambridge University Press, 1999), 22–27.

32 Boyd, "Documents Describing the Second and Third Expeditions of Lieutenant Diego Peña to Apalachee and Apalachicola in 1717 and 1718," 118–123; see also, *Barcia's Chronological History of the Continent of Florida*, trans. Anthony Kerrigan (Gainesville: University of Florida Press, 1951), 358; TePaske, *The Governorship of Spanish Florida*, 204–208.

Peña and the governor imagined that the Lower Creeks would abandon their ties to the British and relocate *en masse* closer to Spanish Florida. However, this belief did not comport with the reality of Native law and governance. Organized in groups of decentralized towns, the Lower Creeks built their strength around the power of persuasion, not coercion.³³ Traditionally, older villagers used storytelling, for example, to create a sense of unity with younger members and to persuade them to act in favor of war or peace.³⁴ Valuing consensus over force empowered individual towns to make their own decisions about trade, diplomacy, and war. By the middle of the eighteenth century, the Lower Creek tradition of persuasion and consensus sustained tension between and within their towns. Because it enabled the Lower Creeks to weigh their opportunities and risks, this tension supported their autonomy—from each other and from Europeans.³⁵ In Spanish Florida, the Lower Creeks sought protection against Carolina slave traders but also enacted a policy of political neutrality and ambivalence, taking advantage of both Spanish and British trade and diplomacy when it benefited them.³⁶

In early eighteenth-century Florida, the Spanish vision of empire stressed the strategic connections between Spain and Florida's Native groups. Peña hoped to repopulate Spanish Florida with the souls and bodies of Native peoples. Putting less emphasis on Catholic conversion, however, the Spanish rebuilt their relations with Native peoples on a new foundation: primarily a military alliance sustained by presents. With promises of Crown gifts and fruitful trade, the Spanish reconstituted their empire in Florida. Their new vision of empire depended on alliances with the Lower Creeks, Yamasees, and other Native groups in Florida. While the Spanish did not consider Native peoples their social equals, they closely associated with them in order to realize imperial goals. The

33 Saunt, *A New Order of Things*, 11–37. Similar dynamics governed other indigenous nations in colonial North America. For a discussion of the role of persuasion and consensus in the political organization of the Iroquois, see Alan Taylor, *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution* (New York: Vintage Books, 2006), 18–22.

34 Saunt, *A New Order of Things*, 31–33. Creeks also used storytelling to influence knowledge and power in their political relations with the Spanish during the Second Spanish Period. See Cameron B. Strang, “Indian Storytelling, Scientific Knowledge, and Power in the Florida Borderlands,” *William and Mary Quarterly* 70, no. 4 (October 2013), 671–700.

35 Saunt, *A New Order of Things*, 22–27.

36 Hahn, *The Invention of the Creek Nation*, 81–148; Nash, *Red, White, and Black*, 186–189.

Lower Creeks, however, affirmed their own vision of Florida by carefully balancing the advantages of interacting with Europeans with the need to limit their cooperation with them. Forged on a Native ground, the Spanish–Native alliance remained tentative and insecure.³⁷

“to Settle the Limits of his Majestys Said Province”
A New Imperial Vision

By the middle of the eighteenth century, diplomatic negotiations between Europeans and Florida’s Native peoples had become routine. Near the end of the Seven Years’ War, Spanish Governor Melchor Feliú negotiated several new agreements with the Lower Creeks to fortify Spanish defenses against British and Native enemies.³⁸ When the British entered the territory after the war, however, European–Native interactions developed in a new context and in new directions as officials and settlers pursued the acquisition of Native lands.

French defeat in the Seven Years’ War divested France of its North American holdings, from New France to the lower Mississippi Valley. As Spain took possession of French claims west of the Mississippi and at the mouth of that river, the British laid claim to all the lands east of the Mississippi River, excluding Spanish New Orleans. The 1763 Peace of Paris redrew the political map of European North America. As a consequence, the British asserted control over Canada, the trans-Appalachian territory, and much of the Gulf Coast. Dividing Florida into East and West, the British became the lone European power in the southeast region. With decreasing pressure to contend with their European rivals, the British gained a singular opportunity to expand the reach of their imperial power by converting Native land into British territory.

To establish British rule in East Florida, officials sought to reduce the risk of a widespread Native uprising against new British forts and settlements. Many indigenous nations strongly opposed the shifts in European power resulting from the Seven Years’ War, leading to concerns among the British that Indians would unite in force and push back against them.³⁹ Since at least the early seventeenth

37 TePaske, *The Governorship of Spanish Florida*, 193–226; Bushnell, “Situado and Sabana,” 195.

38 Robert L. Gold, “The East Florida Indians under Spanish and English Control: 1763–1765,” *Florida Historical Quarterly* 44, nos. 1/2 (July–October 1965), 107.

39 Nash, *Red, White, and Black*, 202–217.



Map of East Florida, 1783, by John Cary. Courtesy of the Library of Congress, Call No. G4390 1783 .C3.

century, Native peoples had used their interests to balance the power among the European nations competing for control of North America. Independently and selectively, the Iroquois Confederacy, the Algonquians of the Great Lakes, the Cherokees, the Creeks, and other Native groups negotiated and fought with the Dutch, the English, the French, and the Spanish. They traded goods, formed alliances, and went to war in ways that sought to maintain a balance of power in order to check the pace of European settlements and the extent of European rule. The loss of that balance weakened the position of Native peoples.⁴⁰ These new conditions led to violence when, in 1763, Pontiac, a leader of the Ottawa nation in the Great Lakes region, built a widespread Native alliance and took up

40 Taylor, *American Colonies*, 246–272, 433–437; White, *The Middle Ground*, 94–185, 240–268; Braund, *Deerskins & Duffels*, 26–58, 134–138; Nash, *Red, White, and Black*, 202–217. For an analysis of how imperial changes in the South affected the trade activities of the Choctaws and Chickasaws, see Greg O'Brien, "Supplying Our Wants: Choctaws and Chickasaws Reassess the Trade Relationship with Britain, 1771–72," in *Coastal Encounters: The Transformation of the Gulf South in the Eighteenth Century*, ed. Richmond F. Brown (Lincoln: University of Nebraska Press, 2007), 59–80.

arms against the British in what became known as Pontiac's Rebellion. Remembering their recent war with the Cherokees, in which the Cherokees captured a major British fort, British colonists had new cause for concern. They believed that Pontiac conspired with Creek and Choctaw chiefs to organize a powerful military alliance against the British.⁴¹

For Indians residing in and near East Florida, imperial changes had an important impact on their system of trade. France's expulsion from the Gulf and Spain's loss of Florida meant fewer European partnerships to apply pressure on the British trade network to maintain the flow of supplies and keep prices low. The Lower Creeks and the Seminoles were accustomed to shifting their alliances among the European powers to increase their own power and to support their towns. Having only the British with whom to negotiate put the Lower Creeks and the Seminoles at a new disadvantage. Although trade abuses existed before the Seven Years' War, limited trade options after the war lowered the quality of goods, raised prices, and increased the abusive practices of traders who used rum to cheat Indians in the exchange of goods and land. Recognizing the potential for revolt, British officials in East Florida aimed to preempt an alliance between the Lower Creeks, the Seminoles, and other Native groups, especially the rebellious Cherokees and Ottawa leader Pontiac and his allies to the northwest.⁴²

Although tending to encourage a pan-Indian alliance, a second British priority focused on increasing European settlement in the Southeast. Since the seventeenth century, territorial expansion and densely populated settlements had become hallmarks of British colonial policy in North America. From New England to the Chesapeake to the southern Lowcountry, real property had produced abundant crops, engaged rigorous labor-free and unfree, and supported extensive British colonial population growth—from a little over 70,000 English colonists in 1660 to 2.5 million by 1775.⁴³

Deeply influenced by their Protestant faith and capitalist ideology, most Anglo-Americans cast the possession of land as the

41 White, *The Middle Ground*, 269–314; John Richard Alden, *John Stuart and the Southern Colonial Frontier* (New York: Gordian Press, Inc., 1966), 101–136, 176–182; Nash, *Red, White, and Black*, 214–215.

42 Braund, *Deerskins & Duffels*, 134–163. After Pontiac's revolt collapsed, a Creek leader named The Mortar attempted to unite southeastern Native peoples in a similar assault on the British. Alden, *John Stuart and the Southern Colonial Frontier*, 176–182.

43 Weber, *The Spanish Frontier in North America*, 179; Taylor, *American Colonies*, 443.

center of their political and cultural identity. They rejected the subsistence-based communal system many Native peoples used to farm and hunt game.⁴⁴ Instead, Anglo-Americans idealized individual land ownership and cultivation as the keys to economic and political independence.⁴⁵ Anxiously considering their alternatives, they perceived the consequences of dependence on an employer or landlord as poverty and a form of political tyranny they referred to as “slavery.”⁴⁶ By increasing their territory, population, and export-based commercial interests, many eighteenth-century British colonists believed they had “pushed back the wilderness” and remade themselves into an exceptional, free people.⁴⁷ Property—its possession, exploitation, and title—served the empire and its subjects’ shared interests in political freedom and the accumulation of personal and imperial wealth.

When the empire acquired vast new territories in Canada and east of the Mississippi River at the end of the Seven Years’ War, British officials and settlers anticipated enormous growth in the form of land, wealth, population, and power. Violent clashes with Pontiac and his allies, however, persuaded officials to establish a border, the Proclamation Line, which prohibited British settlement in Canada and the western interior.⁴⁸ According to its advocates in England, this line would serve as a barrier, controlling interactions between settlers and Indians, lowering frontier costs, and increasing the

44 William Cronon, *Changes in the Land: Indians, Colonists, and the Ecology of New England* (1983; reprint, New York: Hill and Wang, 2003), 51–81.

45 David Armitage, *The Ideological Origins of the British Empire* (Cambridge: Cambridge University Press, 2000), 61–99, 170–198; Jack P. Greene, *The Intellectual Construction of America: Exceptionalism and Identity from 1492 to 1800* (Chapel Hill: University of North Carolina Press, 1993), 34–62 (discussing English writer Richard Hakluyt’s “Discourse of Western Planting, Written in the Year 1584”). British claims on Florida dated back at least as far as 1584 when Hakluyt wrote, “That the Queene of Englands title to all the West Indies, or at least to as moche as is from FLORIDA to the circle articke, is more lawfull and righte then the Spaniardes, or any other Christian Princes.” Richard Hakluyt, “Discourse of Western Planting, Written in the Year 1584,” reprinted in *Colonial North America and the Atlantic World: A History in Documents*, ed. Brett Rushforth and Paul W. Mapp (Upper Saddle River, NJ: Pearson Prentice Hall, 2009), 86.

46 Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (1975; reprint, New York: W.W. Norton & Company, 2003), 3.

47 Greene, *The Intellectual Construction of America*, 89.

48 “By the King a Proclamation,” October 7, 1763, PRO, CO 5/65, Manuscript Division, Library of Congress. See Alden, *John Stuart and the Southern Colonial Frontier*, 240.

colonial consumption of British manufactures.⁴⁹ The pressures to move west, however, continued unabated. East of the Proclamation Line and short on British inhabitants, East Florida then loomed into view as a promising new source of territory for British settlement, which could prosper with the coerced labor of African slaves, whose pattern of escape to Spanish Florida the British resolved to bring to an end.⁵⁰

These priorities—preventing an extensive Native alliance and increasing territory in the Southeast—reveal a contradiction in British Indian policy which tended to encourage Native alliances that the British also wished to suppress. Achieving these goals required significant negotiation on a Native ground: discussions with Native chiefs, including the powerful Lower Creek nation and the Florida Seminoles. Accordingly, a series of British–Native conferences followed the Seven Years’ War, beginning with the Augusta Congress of 1763. In Augusta, John Stuart—the British Superintendent of Indian Affairs for the Southern District—met with the Upper and Lower Creeks to hear and resolve their complaints about trade abuses and to set boundaries clearly distinguishing British territory from Native territory in Georgia. The Creeks complained of high prices for British goods and the excessive use of rum in trade deals.⁵¹ Land agreements, they insisted, pivoted on the improved regulation of trade.

The following summer, Seminole chief Ahaya (known as Cowkeeper) and his brother Long Warrior attended a similar conference in St. Augustine. Talks concerning East Florida’s territorial boundaries, however, were low on the agenda as Cowkeeper and Long Warrior pressed Stuart to recognize Seminole autonomy from the Creek nation.⁵² More focused discussions on territorial boundaries took place at East Florida’s first major conference, the

49 Colin G. Calloway, *The Scratch of a Pen: 1763 and the Transformation of North America* (Oxford: Oxford University Press, 2006), 92–100; Nash, *Red, White, and Black*, 212; Alden, *John Stuart and the Southern Colonial Frontier*, 335.

50 Landers, *Black Society in Spanish Florida*, 23–28; Gold, “The East Florida Indians under Spanish and English Control,” 110–112; Daniel L. Schafer, “Yellow Silk Ferret Tied Round Their Wrists’: African Americans in British East Florida, 1763–1784,” in *The African American Heritage of Florida*, ed. David R. Colburn and Jane L. Landers (Gainesville: University Press of Florida, 1995), 71–103.

51 Alden, *John Stuart and the Southern Colonial Frontier*, 176–191.

52 Schafer, “St. Augustine’s British Years,” 77.

Picolata Congress of 1765, where the Lower Creeks largely defined the context in which the negotiations took place.⁵³

As British officials promoted East and West Florida for settlement and economic development, they intended to wrest control of Florida lands from Native peoples and make the lands available to elite British settlers. When the few remaining Apalachee allies of Spain (about sixty in number) evacuated Florida with the Spanish, they attempted to sell their lands to British buyers. The Lower Creeks, however, did not recognize the authority of the Apalachees to sell the land.⁵⁴ In his 1763 report on a survey of Florida, Lieutenant Colonel James Robertson explained that the Lower Creeks

in general expressed a jealousy of the large purchases that have been made from the Spaniards, and cautioned us not to build or lay out lands in consequence of that which they think invalid and prejudicial to them.⁵⁵

Similarly, Englishmen Jesse Fish and John Gordon claimed to have acquired ten million acres of land from the outgoing Spanish in disputed territory west of the St. Johns River.⁵⁶ The Lower Creeks's refusal to endorse these land transactions moved the incoming British and their interests onto a Native ground during the negotiations at Fort Picolata in 1765.

Similar to British–Native conferences in other parts of North America, the Picolata Congress involved an elaborate ceremony of ritual observances, gift-giving, and a carefully planned exchange of dialectical speeches given by British and Native headmen over a period of several days. When John Stuart introduced British East Florida Governor James Grant, the conference soon turned to the question of land and the British aim “to Settle the Limits of his Majesty's Said Province.”⁵⁷ Misrepresenting his “well known” record of protecting Cherokee land rights, Grant promised to safeguard Native hunting grounds in East Florida.⁵⁸ He also pointed out to

53 “Journal of a Congress,” December 9, 1765, PRO, CO 5/548, Manuscript Division, Library of Congress. See also Covington, “The British Meet the Seminoles,” 18–41.

54 “Robertson's Report of Florida in 1763,” cited in Covington, “The British Meet the Seminoles,” 13.

55 Ibid.

56 Ibid., 11.

57 “Journal of a Congress,” December 9, 1765, PRO, CO 5/548, Manuscript Division, Library of Congress. See also Covington, “The British Meet the Seminoles,” 20.

58 Ibid., 24. For a discussion of the Cherokee war with the British, see Alden, *John Stuart and the Southern Colonial Frontier*, 101–136.

the Native leaders that they had an interest in granting a portion of their lands to the British so that settlers might raise the cattle and provisions needed to supply Native towns. "Giving up a little to the white people will be no loss to you," he insisted, naively suggesting that game in flight from the newly cultivated British lands would increase their numbers on nearby Native hunting grounds.⁵⁹

Grant and Stuart punctuated key points of their speeches by delivering a "string of beads."⁶⁰ Traditionally, wampum beads symbolized good faith in diplomatic talks among North American peoples.⁶¹ At the Picolata Congress, Grant and Stuart emphasized their intention to occupy no Native land without the Indians' consent. They marked their words with wampum beads.⁶²

Nevertheless, listening to Grant and Stuart, the chiefs must have had their doubts. Several chiefs replied to the British officers with messages of distrust. They insisted that the British had not respected the boundaries recently settled in Georgia and had failed to reduce trade prices as they had promised. The deer, they stressed, "are turning very scarce" due to increasing British settlements. At the current rate, "they would find nothing but rats and rabbits to kill for the skins for which the white people would not give them goods."⁶³ These conditions, they argued, drove up the prices of British goods. Seeking a compromise, Lower Creek chief Tallechea made the British an offer, setting a boundary that limited British possession to east of the St. Johns River.⁶⁴ The Lower Creeks wanted to renew their alliance with the British by bargaining for generous trade goods—not the concession of land. Pointing out the uneven relative value of the proposed exchange, Tallechea stated

59 "Journal of a Congress," December 9, 1765, PRO, CO 5/548, Manuscript Division, Library of Congress. See also Covington, "The British Meet the Seminoles," 25.

60 *Ibid.*, 23–26.

61 Daniel K. Richter, *Facing East from Indian Country: A Native History of Early America* (Cambridge, MA: Harvard University Press, 2001), 135–137.

62 "Journal of a Congress," December 9, 1765, PRO, CO 5/548, Manuscript Division, Library of Congress. See also Covington, "The British Meet the Seminoles," 26.

63 *Ibid.*, 26–27.

64 According to Grant and Stuart, Tallechea insisted that "a line from St. Sevilla to Picolata and along the road to St. Augustine will hence forward will be the boundary, and that you will not allow the white people [to] settle beyond the road leading from this place to our nation." "Journal of a Congress," December 9, 1765, PRO, CO 5/548, Manuscript Division, Library of Congress. See also Covington, "The British Meet the Seminoles," 28.

that the gifts the British offered them would last but a year, while “the land which we now give will last forever.”⁶⁵

Grant and Stuart then took their mission to acquire Native land to another level by meeting privately with two of the chiefs. Seeking to exploit the internal divisions among the Native groups, Grant and Stuart rejected Tallechea’s offer. They preferred an expanded boundary into East Florida’s more fertile areas to encourage permanent, cultivated settlements. In an ultimatum to the chiefs, Grant and Stuart maintained, “if they give no land, they can expect no presents.”⁶⁶ The day following this private meeting, Grant announced an agreement on a new boundary. On November 18, 1765, the Congress ended with a reading of the Treaty of Picolata—signed and sealed by Grant, Stuart, and the Native chiefs—followed by the presentation of great medals and small medals, the air split by the blast of repeated gunfire.⁶⁷

The Treaty of Picolata transformed relations between Europeans and Native peoples in East Florida, formalizing an agreement between the British and the Creeks and Seminoles on terms that largely favored British interests. Identifying the parties as “one people,” the treaty bound the British and the Native groups in an unequal exchange of trade, justice, and property.⁶⁸ It forbade Indians from committing or permitting “any kind of hostility, injury or damage whatsoever against” East Florida’s British inhabitants.⁶⁹ It required Indians to “immediately put to death in a public manner” any Indian who killed a white man. Any white man who killed an Indian, however, “shall be tried for the offence in the same manner as if he had murdered a white man and *if found guilty* shall be executed.”⁷⁰ And, setting the British–Native boundary farther west and farther south than Tallechea’s offer, the treaty extended British possession deeper into East Florida. Significantly, it did not welcome Indians to hunt there.⁷¹

At Picolata, Lower Creeks and Seminoles gave up authority and control over substantial hunting grounds for the promise of active, fair trade in a market suffering from a declining deer supply. For that promise, the British gained license to regulate treaty

65 Ibid.

66 Ibid., 33.

67 Ibid., 34–35.

68 Ibid., 35–37.

69 Ibid., 36.

70 Ibid. (emphasis added)

71 Ibid., 37.

violations and to exclude Native peoples from British-occupied territory. Claiming to be “one people” with Indians, the British imposed terms designed to transform Native land and to exclude Indians from it. Marked by new terms of agreement, a new imperial ideology, and new consequences, the Picolata Congress ushered in the next era of European–Native diplomatic relationships that emphasized land speculation most, trade and military alliances less, and Christian missionizing not at all.

With the Treaty of Picolata, the British seemed to get what they wanted—tools for social control and for the production of wealth. On the basis of this treaty, they claimed authority to redistribute land, control the operation of justice, and settle territory with British subjects. Control over East Florida did not proceed uncontested, however, as Native peoples complied selectively with the terms of the treaty. The British planted settlements on new lands, but at times, Lower Creeks and Seminoles stole horses, killed cattle, and harbored escaped slaves—all to meet the needs of Native peoples and all in violation of the treaty.⁷² Some of the new British settlements, like Fatio’s New Switzerland, grew into thriving plantations. Others did not. For reasons ranging from poor investments to war, the plantations of William Bartram, Richard Oswald, Denys Rolle, and Andrew Turnbull all failed.⁷³ Three years after the conference, Governor Grant acknowledged that British settlement of East Florida remained uncertain as the Creeks were “numerous and powerful & tenacious of their lands.”⁷⁴ In 1769, he discovered that a group of British subjects were plotting the escape of a British prisoner whom Grant had arrested for killing an Indian, and worried, “a Rescue or Escape would appear to the Indians to be a concerted plan to deceive them, would draw their Resentment upon the Province, & of course would put a total stop to the Cultivation and Settlement of it.”⁷⁵ Comparing their expectations with reality,

72 Schafer, “St. Augustine’s British Years,” 89–95. See also Andrew K. Frank, “Taking the State Out: Seminoles and Creeks in Late Eighteenth-Century Florida,” *Florida Historical Quarterly* 84, no. 1 (Summer 2005), 15–18.

73 See Schafer, *William Bartram and the Ghost Plantations of British East Florida*, 29–38, 55–118; Daniel L. Schafer, “‘A Swamp of an Investment’? Richard Oswald’s British East Florida Plantation Experiment” in *Colonial Plantations and Economy in Florida*, 11–38; Patricia C. Griffin, “Blue Gold: Andrew Turnbull’s New Smyrna Plantation,” in *Colonial Plantations and Economy in Florida*, 39–68.

74 James Grant to William Knox, November 24, 1768, Reel 2, James Grant of Ballinalloch Papers, Manuscript Division, Library of Congress, Washington, DC.

75 James Grant to Major Whitmore, January 5, 1769, Ballinalloch Papers.

the British became aware that some of their success at Picolata was only an illusion, plans that went unrealized on East Florida's Native ground.

Whether they thrived or failed, however, British East Florida's plantations embodied a core feature of British political ideology. Settled on land once occupied by Native peoples but now privately owned, Fatio's plantation and the lost plantations represented the insertion of a policy of exclusion into the politics of European-Native relations in East Florida. The British inscribed this policy in the form of private land ownership, a principal component of their worldview and the chief target of their negotiations with the chiefs at Picolata. For generations, Lower Creeks and Seminoles had suffered from depopulation and political instability, the effects of disease and war. Restored in strength by the middle of the eighteenth century, they exercised their power in ways that slowly undermined Native authority in East Florida. To secure their trade position and maintain their autonomy, Lower Creeks and Seminoles conveyed land rights to the British. In the process, they lost their right of access to the lands they once possessed, opening a gap in territorial authority. The British then filled the void with an ideology of exclusive possession that supported their vision of a prosperous and free people but put Native peoples' essential economic resources at risk.

Conclusion

New in its form and in its terms, the agreement between the British and the Lower Creeks and Seminoles paved the way for a new set of conditions for interactions between Europeans and Native groups in East Florida. The Spanish vision of empire—which incorporated Lower Creeks and Yamasees as close, Christianized allies—had begun to recede into the past as a European policy of controlled inclusion gave way to a new policy of controlled exclusion. Governor Grant and Superintendent Stuart reworked Native ground to reflect Anglo-American political and social ideals that separated peoples into distinct territories and into distinct categories in the colonial social order. Familiar with this framework after generations of colonial experience in North America, the British imported the force of its principles and its consequences to their new colony of East Florida. There, beyond its fenny swamps, officials and planters gradually cleared the land of trees and Native peoples and made room for the rise of a disruptive plantation

economy. In the years to come, this economy would generate more disorder and change in this restless borderland—for the British empire's loyal and rebellious subjects who contested it, the Spanish who coveted it when they returned, the Africans who lost their lives to it, the Native peoples who resisted it, and the new republicans who forced it into the realm of a new kind of empire.